

REMARKS

In the final Office Action, claims 1 and 4 were objected to based on minor informalities. Claim 43 was rejected under 35 U.S.C. §112, first paragraph. The Examiner stated that the specification fails to support the limitation requiring that "regions of the N-channel MOS transistor and the P-channel MOS transistor are formed in an N-type well". Claims 1, 2, 4, 11, 15, 16, 43, 54, 74-76, 83 and 87-90 were finally rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,554,873 to Erdeljac et al. ("Erdeljac") in view of U.S. Patent No. 4,559,694 to Yoh et al. ("Yoh"). Erdeljac was cited as disclosing a complementary MOS semiconductor device in Fig. 11 having an N-channel MOS transistor 44, a P-channel MOS transistor 50 and a resistor. Yoh was cited as disclosing a complementary MOS semiconductor device in Figs. 59 and 60 having an N-channel MOS transistor Q4 with a P-type gate electrode and a P-channel MOS transistor Q1 with a P-type gate electrode.

By the present amendment, claims 17-42, 47-53, 55-73, 83, 84, 88 and 91 have been canceled without prejudice or admission. The canceled claims include all non-elected claims drawn to the invention designated as Group II in the Examiner's restriction requirement, and several other claims drawn to Group I including independent claims 68-72 and 88.

Applicants have amend independent claims 1 and 89 to incorporate the subject matter of allowable dependent claims 83-84 and 91, respectively. The dependency of claims 85 and 92 has been changed as a result. In addition, claim 43 has been amended in formal respects by rewriting it into its original non-objectionable form to overcome the Examiner's rejection under 35 U.S.C. §112, first paragraph. Claims 3-10 have been amended in formal respects to correct various informalities such as antecedent basis problems. Claims 12-14 have been similarly revised.

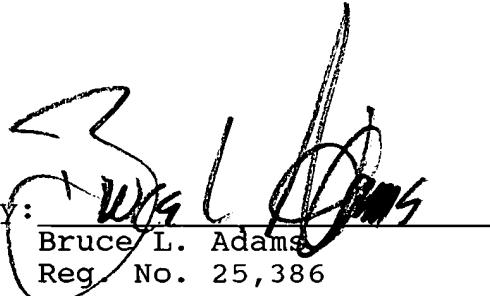
Applicants most respectfully request entry of the foregoing amendments since they merely comprise formal amendments made to dependent claims and the incorporation of allowable dependent claims into the corresponding base claims. Thus, no further consideration or search is necessitated by the amendments. In addition, the amendments substantially narrow any appealable issues because they present the claims in a substantially narrowed form and cancel a significant number of other claims. The subject matter of the dependent claims has already been considered by the Examiner on at least two previous occasions. Thus, entry of the foregoing amendments should not be denied.

The foregoing amendments are believed to place all pending claims in allowable form.

In view of the foregoing amendments and discussion, the application is believed to be in condition for allowance. Accordingly, entry of the present amendment together with favorable reconsideration and allowance of the claims are most respectfully requested.

Respectfully submitted,

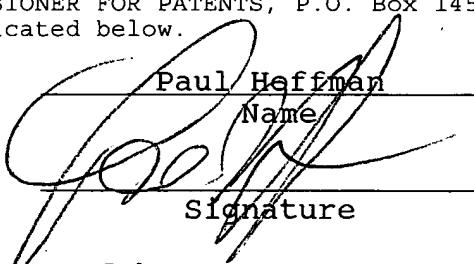
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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

  
Paul Hoffman  
Name

Signature

February 4, 2004  
Date